

IN THE MATTER OF THE COMPLIANCE )  
by the Weyerhaeuser Company )  
with Chapter 90.48 RCW and the )  
Regulations of the Department of Ecology )

NOTICE OF VIOLATION  
Docket No. DE 70-120

To: Weyerhaeuser Company  
Chlorine-Caustic Plant  
P. O. Box 599  
Longview, Washington 98632

On December 4, 1967, the Department of Ecology (then identified as the Water Pollution Control Commission) adopted a regulation relating to "Water Quality Standards for Interstate and Coastal Waters of the State of Washington and a Plan for Implementation and Enforcement of Such Standards." This regulation established water quality standards for all interstate and coastal waters and, further, the regulation required that all known, available and reasonable methods of waste treatment and control, as provided by the controlling statutes found in Chapter 90.48 RCW, shall be utilized by those discharging wastes into the waters of the state.

By letter of April 27, 1970, a copy of which is attached and by this reference is made a part hereof, this agency advised you of several deficiencies in the matter of compliance with the conditions of your waste discharge permit No. 2648. Your attention was specifically directed to the presence of significant concentrations of mercury in wastes being discharged into the Columbia River from your facility. Further, you were advised that the discharge of mercury from your facility is not authorized by your Permit No. 2648 and that the presence of this contaminant in your waste effluent places you in violation of your Permit No. 2648.

As you are aware, recent findings have indicated that the presence of mercury in public waters constitutes an imminent health hazard. Government agencies and the public are extremely concerned with this threat to public health and welfare and extensive investigations and analyses are currently in progress to more clearly define the seriousness of the presence of the mercury contaminant in our public waters. Mercury concentration ranges and human tolerance limits will result from the current studies that predictably may indicate a need for the total exclusion of mercury from industrial waste effluents that are discharged into public waters.

RCW 90.48.120 reads in part: "Whenever, in the opinion of the commission, any person shall violate or is about to violate the provisions of this chapter, or fails to control the polluting content of waste discharged or to

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be discharged into any waters of the state, the commission shall notify such person of its determination by registered mail . . ." Notice is hereby given, in accordance with RCW 90.48.120 as follows:


1. That the Weyerhaeuser Company Chlorine-Caustic Plant, located in Longview, Washington has been and is discharging industrial wastes into the Columbia River, a public water of this state, and that said industrial wastes contain mercury in significant concentrations that are or may be detrimental to the public health.

2. That it is the determination of this agency that the Weyerhaeuser Company will take necessary action to reduce the concentration of mercury discharged into the Columbia River from the Chlorine-Caustic Plant and that said mercury concentrations will be reduced to a limit of 0.05 parts per million (ppm) or less not later than September 1, 1970.

3. That it is the determination of this agency that the Weyerhaeuser Company will take action to either totally eliminate the discharge of mercury from the Chlorine-Caustic Plant, or will show cause before this agency not later than October 1, 1970, as to why all discharges of mercury should not be prohibited by this agency.

Within thirty days from the receipt of this Notice, as provided in RCW 90.48.120, you are ordered to file with the Department of Ecology a full report stating what steps have been and are being taken to comply with the above-described determinations of this agency. (In regards to the implementation hereof, the Director of the Department of Ecology has delegated authority pursuant to Sections 8 and 9 of Chapter 62, Laws of 1970, to Assistant Director, JAMES P. BEHLKE. See IN RE Adoption of Emergency Regulation, Department of Ecology, Docket No. 70-1.)

DATED at Olympia, Washington this 24<sup>th</sup> day of August, 1970.

  
ASSISTANT DIRECTOR  
Department of Ecology  
State of Washington

Copies of this Notice are  
distributed as follows:

1. Docket No. DE 70-120
2. Weyerhaeuser Company (2 copies)
3. Attorney General